

-PS/CD-O-

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

GARY H. MOORE, 95A6242,

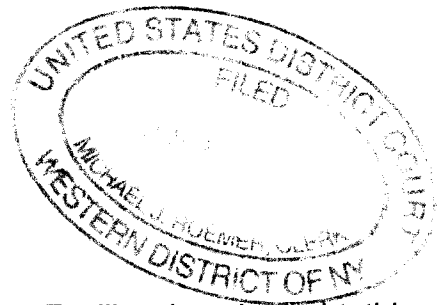
Petitioner,

-v-

THE SUPERINTENDENT OF SOUTHPORT
CORRECTIONAL FACILITY AND THE DISTRICT
ATTORNEY'S OFFICE OF NASSAU COUNTY,

Respondent.

DECISION AND ORDER
12-CV-6042Fe



Petitioner, an inmate at the Southport Correctional Facility, has brought this proceeding under 28 U.S.C. § 2254. Petitioner seeks to challenge a conviction reached in Nassau County, New York. The Court finds that the Eastern District of New York would be a more convenient forum for this action because all of the records relating to the petitioner's underlying criminal conviction are located in that district. See *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 499, n.15 (1973). The determination of the petitioner's motion for permission to proceed *in forma pauperis* has been left to the Eastern District of New York.

IT HEREBY IS ORDERED, that the case is transferred to the United States District Court for the Eastern District of New York.

SO ORDERED.

Dated: JAN 31, 2012
Rochester, New York



CHARLES J. SIRAGUSA
United States District Judge